IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

MACA.No. 921 of 2007()

OPMV.1710/2003 of MOTOR ACCIDENT CLAIMS TRIBUNAL, KOZHIKODE
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APPELLANTS/PETITIONERS IN OP(MV)
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1. ASSAINAR, AGED 68 YEARS, S/O.MUHAMMED, RESIDING AT T.P.HOUSE, ETTIKULAM P.O., VELIYAKADAPPURAM, KANNUR.

2. MARIYUMMA, AGED 53 YEARS, W/O ASSAINAR, DO.

BY ADV. SRI.AVM.SALAHUDIN

RESPONDENTS: RESPONDENTS IN OP(MV)
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1. NARAYANA RAI, AGE NOT KNOWN, S/O.AITHAPPA RAI, RESIDING AT PERLA HOSAMANE COMPOUND, P.O.KANNUR, PADIL, MANGALORE, KARNATAKA- 575 007.

2. NATIONAL INSRURANCE COMPANY LIMITED, RASIK CHAMBERA, OPP. CENTRAL MARKET, MANGALORE.

BY

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.A.C.A.NO.921 OF 2007 (A)

Dated this the 15th day of June, 2007

J U D G M E N T

KOSHY,J.

A 21 year old youngster while driving his vehicle met with an accident due to the negligence of the driver of the lorry insured by the 2nd respondent Insurance company. He was unmarried. His father aged 65 years and mother aged above 50 years filed a claim for compensation. Even though no evidence regarding income was adduced, Tribunal fixed Rs.2,000/- as notional income and after deducting 1/3rd, compensation was calculated taking 11 as the multiplier. Total amount awarded was Rs.1,99,000/-. Considering the age of the parents and the total amount awarded, we are of the opinion that no interference is required in the award as just and reasonable compensation was awarded by the Tribunal and hence appeal is dismissed.

J.B.KOSHY, JUDGE

K.P.BALACHANDRAN, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.A.NO. OF 2006 ()

J U D G M E N T

8th June, 2007